



Washington State
Department of Health
Board of Osteopathic Medicine and Surgery
Meeting Minutes
June 3, 2005

The meeting of the Washington State Board of Osteopathic Medicine and Surgery was called to order by Daniel Dugaw, DO, Chair, at 9:00 a.m. The meeting was held at: St. Francis Hospital, 34515 9th Avenue South, Board Room, Federal Way, Washington 98003.

Board Members Present: Daniel Dugaw, DO, Chair
Thomas Shelton, DO
Thomas Bell, DO
William Gant, Public Member

Staff Present: Blake Maresh, Executive Director
Arlene Robertson, Program Manager
Melissa Burke-Cain, Assistant Attorney General
Maryella Jansen, Deputy Executive Director
Judy Young, Staff Attorney

Open Session

1. Call to Order
 - 1.1 Approval of Agenda
The agenda was modified to reflect a correction of 5.2 to: Discuss the Electronic Prescription Program.
 - 1.2 Approval of Minutes
 - 1.2.1 January 28, 2005 meeting minutes
The January 28, 2005 minutes were approved as submitted.
 - 1.2.2 April 21, 2005 conference call minutes
The conference call minutes were approved as submitted.
2. (Open Session) Settlement Presentations
There were no settlement presentations.

3. Rules
3.1 Review repeal of rules regarding Registered Nurse Practitioners (ARNP) joint practice arrangement.

3.1.1 HB 1479 - Advanced Registered Nurse Practitioners-Prescriptive Authority

3.1.2 WAC 246-853-222 - 227

ISSUE

HB 1479 permitting ARNPs independent prescribing of controlled substances, Schedule II-IV, passed the Legislature and becomes effective on July 24. This change in the statute necessitates repealing the rules pertaining to the Joint Practice Plans.

Previous Legislation granting prescriptive authority to ARNPs for Schedule II-IV drugs provided that an individual requesting the prescriptive authority have a practice plan with a physician. Implementation required all three professions to have the same rules.

Although the original rules had to be accomplished as a collaborative effort, the same process will not be required to repeal the rules. The AAG has advised that each disciplining authority can individually repeal its rules.

ACTION

The Board had no additional comments. Staff will proceed with the rules repeal.

4. Policy Review and Discussion
4.1 OP95-01 Review of Complaints By the Reviewing Board Member - Review for revisions
4.2 OP95-02 Closure of Investigated Cases - Review for revisions
4.3 OP95-10 Review of Investigations by Reviewing Board Member Recommending Disciplinary Action or Further Investigation - Review for revisions
4.4 OP97-26 Closure of Below Threshold Reports/No jurisdiction reports - Review for revisions

ISSUE

Mr. Maresh explained that with the inclusion of the six new professions into Section 5 he was looking at integrating all of the professions into the same processes. The process of complaint intake and review by the physician assistants of complaints prior to going to the case management team was explained. Mr. Maresh explained that he wanted to

incorporate the osteopathic professions into the same process that was being used for medical and the secretary professions.

ACTION

The Board discussed the effects of the changes on its cases and the timelines. The Board approved half of the complaints to be handled by the proposed process and the other half remain with the current process. The cases will be tracked to determine the timelines for each.

4.5 Amending or adding cases to a Statement of Charges - Review issue for new policy or adding to OP95-1.

This item was not considered. It will be rescheduled for a future meeting.

5. Practice Issues

5.1 Discuss patient safety initiatives that could be pursued by the Department of Health.

ISSUE

Mr. Maresh provided background information related to discussions that the Department of Health (DOH) has started with the Medical Quality Assurance Commission and Board of Pharmacy relative to patient safety issues. The Board is being requested to participate by providing ideas that can be considered as part of the Department's safety practice initiatives.

ACTION

The Board would like to hear from DOH as the project progresses. This will be a standing item on future agendas.

5.2 Discuss the Electronic Prescription Program

ISSUE

Rules pertaining to the Electronic Transmission of Prescription Information were provided. The rules address both the practitioner responsibilities and system requirements.

ACTION

The electronic prescriptions rules were reviewed. No further action was required.

6. Correspondence

6.1 Scope of practice relative to colon hydrotherapy -
Bonnie McAllister

ISSUE

Ms. McAllister is asking whether colon hydrotherapy is considered to be within the scope of osteopathic medicine and surgery.

ACTION

The Board indicated that any invasive procedure is within the scope of osteopathic medicine and surgery. The scope of practice includes the diagnosis or treatment of disease, injuries, deformities, and all other physical and mental conditions related to human beings, including the use of manipulative therapy. Ms. McAllister will be advised of the Board's decision.

6.2 Treating spouses/family members - Stephen L. Henley, Sr., Attorney-at-Law

ISSUE

Mr. Henley is requesting clarification on whether an osteopathic physician can treat a spouse with a very difficult and unusual condition with narcotic pain medication. The spouse has not been successful in obtaining satisfactory treatment by other modalities.

ACTION

The Board indicated it is never a good idea to treat a spouse. They should try to get someone else to prescribe the narcotics for the spouse. The Board cannot endorse this type of practice.

7. Program Manager Reports

7.1 Budget Report

Ms. Robertson provided the April 2005 interim operating report. It was noted that the current balance continues to increase. Due to Office of Financial Management (OFM) guidelines a large revenue balance cannot be maintained without the spending allotment.

The Department has adopted rules that permit fees to be adjusted to balance the revenue with allocations. The fee schedule will not be changed. This will reflect the maximum amount that can be charged. Fees can be lowered to maintain a balance closer to the allocated amount in the budget. At the present time it is anticipated that only the renewal fees will be affected.

7.2 Integrated Licensing & Regulatory System ISSUE

The systems that have supported the licensing and disciplinary functions of the health care professions have grown in number over the years. None of the systems are integrated. Staff has to enter the same data into several systems. In addition to the health care professions (HPQA), Facilities (FSL) and Emergency Management Systems (OEMSTS) are also in need of an updated system. The new system is being developed to accommodate all three sections of the Department. Coordinating information will be able to be obtained from a central system.

ACTION

The preliminary development has been completed which identifies the needs of the users and criteria for the system. A Request for Proposal (RFP) will be published this fall to obtain a vendor for the new system.

No action was required. The Board will be updated as the project moves forward.

7.3. 2004 Activity and Disciplinary Report

The 2004 report was provided to the board members. Ms. Robertson noted that the number of licensees has continued to increase each year for the past five years. Complaints increased by 10 over 2003. The average number of days open per case for no cause for action closures has remained fairly consistent over the past two years. The days open for cases with action increased significantly over 2003.

The report was informational. No further action was required.

8. Executive Director Reports

Mr. Maresh announced that there will be a leadership meeting for the chairs and vice chairs of boards and commissions on September 12, 2005. Additional information will be provided later in the summer.

Closed Session

9. Disciplinary Case Reviews - Reviewing Board Member Reports

CASE NUMBER

CASE DISPOSITION

2004-08-00020P

Closed no cause for action - Evidence
does not support a violation.

CLOSED BELOW THRESHOLD SINCE 4/21/2005
2005-02-00070P

10. Compliance Issues

There were none reported.

11. Application Review

There were no applications for review at this time.

The meeting was adjourned at 12:30 pm.

Respectfully Submitted

Arlene A. Robertson
Program Manager

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